

**From:** Sean Phillipson  
**To:** Microsoft ATR,doug@intermind.net@inetgw  
**Date:** 1/13/02 11:30pm  
**Subject:** Microsoft Settlement

The remedies outlined in the current proposed agreement don't go nearly far enough to reign in the monopolistic practices of Microsoft. Microsoft has already violated the spirit of even the proposed remedy, and previous findings, by including even more applications in their new OS (Windows XP). With every application they include, whole software markets are put out of business. I also thought that any remedy should deprive Microsoft of any gains made by the monopolistic behavior. Microsoft made tens of billions of dollars from this behavior, why do they get to keep that money? Why have I never heard of any effort to estimate of how much money was made through Microsoft's monopolistic behavior so a real punishment can be imposed?

The remedy proposal of the 9 remaining states is far better and should prevent the behavior that got Microsoft in court. That is the idea behind this remedy, I hope. Companies are still afraid to anger Microsoft. There are subtle ways in which Microsoft can "get even" with a company for favoring another OS. And now I see in the news that Microsoft actually has a program in place to kill Linux. Microsoft has agreed to the DOJ settlement because it still leaves it with plenty of "Monopolistic" opportunity and loop holes.

As a software engineer I can tell you that Microsoft can modify it's OS code to do the things that the 9 hold out states suggest. They are flat dishonest if they say they can't. Every version of Unix/Linux/MacOS cleanly separates the OS services from any applications. A browser is a application and should never be embedded in the OS. These are smart guys, tell them they have to do something and they can do it. They may not like it, but they can do it.

Thank you

Doug Phillipson

Las Vegas Nevada